

**RESOLUTION NO. 10-97**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE FINAL DECISION OF THE PLANNING AND ZONING BOARD, DECISION NO. 10-12 THAT GRANTED AN ADJUSTMENT TO LEGALIZE A TERRACE BUILT WITHOUT A PERMIT ON CONDITION THAT THE TERRACE REMAIN AN OPEN TERRACE, ON PROPERTY LOCATED AT **851 WEST 50 STREET, HIALEAH, FLORIDA**; AND PROVIDING FOR AN EFFECTIVE DATE.

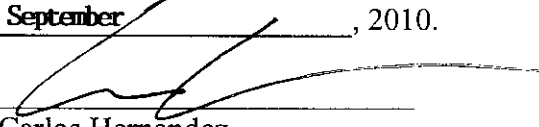
**WHEREAS**, the Planning and Zoning Board, at its regular meeting of August 11, 2010 entered a final decision, Decision No. 10-12, subject to review by the Hialeah City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

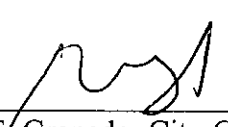
**Section 1:** The Mayor and the City Council of the City of Hialeah, Florida hereby approve Final Decision 10-12 granting an adjustment of 12.85 feet, as to the rear setback, where 20 feet are required, to accommodate a terrace built without the benefit of a building permit, on condition that the terrace remain open on all three sides. The property located at 851 West 50 Street, Hialeah, Florida, zoned R-1 (One Family District).

**Section 2:** This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

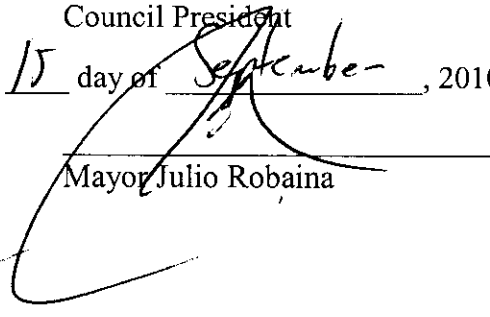
PASSED AND ADOPTED this 14th day of September, 2010.

  
Carlos Hernandez  
Council President

Attest:

  
Rafael E. Granado, City Clerk

Approved on this 15 day of September, 2010.

  
Mayor Julio Robaina

Approved as to form and legal sufficiency:

  
William M. Grodnick, City Attorney

S:\LEB\LEGISLATION\2010-RESOLUTIONS\851 WEST 50 ST-rearSB-CONDTopenterrace-PZAUG11-04.doc

Resolution was adopted by a 6-0 vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Hernandez and Yedra voting "Yes", Councilmember Gonzalez absent.